

Ag Marketing

NEWS UPDATE - MAY 2012

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Licenses and Regulation Updates for Farmers Marketing Value-Added Products Directly to Consumers

While some farmers now market their valued-added products year round, for many, late spring signals the start of the new market season in earnest. With so many more value-added products showing up at markets now, it's good to get the necessary paperwork and required licenses before opening day.

What regulations apply to your product and where can the required licenses or permits be sources? While those selling value-added products at the farm or through a CSA may not need vendor or mobile unit licenses, many of the same food processing regulations apply. Here is a brief summary of Maryland's processing and sampling regulations for farmers markets and on-farm sales.

Farmers Market Sampling License—If you plan to offer samples of your product at the market:

1

Counties MAY create a seasonal farmer's market producer sampling license. Obtain a Farmers Market Sampling License from your County Health Department. A list of county health department offices and their contact information is available on www.mredc.umd.edu. Go to the Resource Map and click on your county.

- A. This license is valid for all Farmers markets in that County for a year from date of issuance for a single fee.
- B. County sets fee and enforces regulations.
- C. Vendors offering product sample must adhere to good sanitation practices for hand washing, dishwashing, waster disposal, food source, overhead protection, location, cold holding, cooking, and ice sources.
- D. Currently available in about one-third of the counties. If your county doesn't offer the license, then sampling is not permitted.

Continued on Page 2

2

Products that can be offered for retail sales at markets that DO NOT require a health department license include:

Unflavored honey, whole or uncut produce, whole or uncut fruits, fresh unprocessed herbs, non-potentially hazardous baked goods, naturally acidic fruit jams and jellies, and eggs (producer must be registered with the Maryland Department of Agriculture.)

3

Products that can be offered for retail sales but require a minimum of an On-Farm Processing License.

Limits processed food production to \$40,000 of sales. Can process in an inspected home kitchen but, only during times when the kitchen is not being used for domestic purposes:

- Herb and specialty vinegars, dried products, flavored honey, non-hazardous baked goods, fruit pies with equilibrated pH of 4.6 or less, and canned acid food with an equilibrated pH of 4.6 or less.

4

Products that require a processing license and training:

Acidified canned goods, potentially hazardous baked goods, fermented products, fruit butters (banana, pear, pumpkin), cut fruits and vegetables, and cured meats.

5

Meat/Poultry Sales:

- A. Federally Regulated Meats (beef, pork, lamb, bison, chevon)
 1. Must be slaughtered, processed, chilled, and packaged in a USDA plant.
 2. Must obtain an On-Farm Processing License (\$30).
- B. Poultry and Rabbit – Must be slaughtered, processed, chilled, and packaged in accordance with the MDA certification program. Product can be sold direct to consumers at farmers markets and to other retail outlets in Maryland.
- C. Vendors selling at a Farmers Market must obtain a producer Mobile Farmers Market Unit License (\$100).
 1. This license is valid in all jurisdictions of the State.
 2. Unit can include a refrigerated truck, or vehicle with coolers and gel packs, etc.
 3. The unit must maintain refrigerated or frozen temperatures throughout the event.
 4. Counties enforce and levy fines for none compliant temperatures at event.

Contacts and Additional Resources:

- Maryland Department of Agriculture, Deanna Baldwin, Food Quality Assurance Program, 410-841-5769, baldwidl@mda.state.md.us
- Maryland Department of Health and Mental Hygiene, Robin Henderson, Center for Retail Food, Plan, and Process Reviews, 410-767-8412, robinh@dhmh.state.md.us

For more information about specific products, visit the Food Processing section listed on the Maryland Rural Enterprise Development Center website at www.mredc.umd.edu